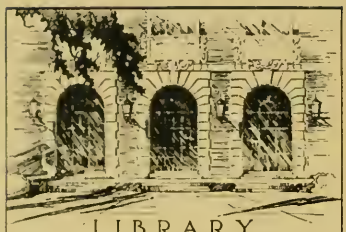

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MR. CHEYNE AND THE BISHOP OF BRECHIN.

A LETTER

TO THE

RIGHT HON. W. E. GLADSTONE,

M.P., D.C.L., LL.D., &c., &c., &c.

BY

THE REV. MALCOLM MacCOLL,

CURATE OF ST. JOHN THE EVANGELIST'S, ABERDEEN.

"THE MEMORY OF THE JUST IS BLESSED."—PROV. X. 7.

"Ἀρχὴ ἄνδρα δείξει."—ARISTOTLE, ETH. V. 1.

"MEMINESSE DEBENT JUDICES ESSE MUNERIS SUI, JUS DICERE NON AUTEM JUS DARE: LEGES, INQUAM, INTERPRETARI, NON CONDERE. . . . UNA CERTA INIQUA SENTENTIA PLUS NOCET, QUAM EXEMPLA PLURIMA."—BACON, DE OFF. JUDICIS.

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LETTER, &c.

DEAR SIR,

The following pages are written in the interest of justice and peace; this is my apology for addressing them to you, and I am sure that I require no other.

At this moment one of the most venerable men in the kingdom, a clergyman of high Christian character and much learning—a clergyman, too, who has served his church, as few have served her, for more than forty years, lies under a sentence of practical deposition. It would have been a hard case under any circumstances; but the hardship is comparatively very much increased by the recent virtual acquittal of the Bishop of Brechin. That acquittal ought, logically and equitably, to result in Mr. Cheyne's restoration, as far as that can be accomplished. If the correctness of this conclusion be disputed, it must be on one of two assumptions: either (1) that Mr. Cheyne's doctrine is different from the Bishop of Brechin's; or (2) that Mr. Cheyne was not condemned for false doctrine at all, but for some other offence. And if it can be shown that these two assumptions are mere assumptions, and nothing more; if it can be shown that Mr. Cheyne's doctrine is in all respects the Bishop of Brechin's doctrine; and that Mr. Cheyne *was* condemned for false doctrine, and for nothing else, in that case I do not see how any fair lover of justice can escape the conclusion that, the Bishop of Brechin having been acquitted, the sentence on Mr. Cheyne ought to be repealed. There is naturally much misconception on the subject, not only in the popular mind, but even among such churchmen —the large majority—as have not followed the various windings of the controversy from its source; and a plain statement of the real

points at issue may possibly pave the way for a pacific solution of our difficulties. I now venture to make the attempt; and I claim one qualification, at least, for the task—that of having read, as I believe, everything that has been written on either side of the controversy from its commencement.

I have said that the question of Mr. Cheyne's restoration depends on the answers which can be returned to the two preliminary questions:—

1. Is Mr. Cheyne's doctrine the same as the Bishop of Brechin's?
2. Was Mr. Cheyne condemned for false doctrine, *and for that alone?*

No one who will take the trouble to make himself acquainted with the facts of the case will hesitate to give an affirmative answer to both questions. Let us take them in order.

1. The Bishop of Brechin defended throughout, and adopted as his own, the doctrine for teaching which Mr. Cheyne was condemned. By so doing, he committed himself to Mr. Cheyne's doctrine. This seems to me so clear and conclusive as to supersede the necessity of any further argument; but as there happen to be other arguments, it may be as well to state the most prominent of them. Look, then, at the particular points of accusation against Mr. Cheyne and the Bishop of Brechin respectively. Here they are in parallel columns:—

MR. CHEYNE.	THE BISHOP OF BRECHIN.
1. That "the Sacrifice of the Eucharist is substantially the same as the Sacrifice of the Cross, differing only in the manner of offering."	1. That the "Eucharistic Sacrifice is the same substantially with that of the Cross;" that "no words of man can strengthen the tremendous and absolute identity of the two sacrifices," or "of the one sacrifice in its two aspects;" and that, "as Christ *is* the propitiation for our sins," "if the body of our Lord be in any sense in the Eucharist, it must plead," and "be precious in the eyes of the Father, and act according to its own law."
2. That in the blessed Sacrament, "we kneel to the Lord himself, invisibly present under the form," or "under the veils of bread and wine."	2. That "supreme adoration is due to the body and blood of Christ mysteriously present in the gifts," and that "the worship is due, not to the gifts, but to Christ in the gifts."

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3. That "the only thing necessary to the completion of the sacrifice is the communion of the Priest."	3. That "it is enough to believe" that, in regard to the use of the Lord's Supper, "in some sense, the wicked do receive Christ indeed, to their condemnation and loss." 4. This was an accusation against the Bishop of "depraving generally in his Charge the doctrine of the Thirty-nine Articles and the formularies of devotion in use in the Church, by drawing aside the plain and full meaning thereof"—especially by the arguments which he founds on (*a*) the *Black Rubric* at the end of the Communion Service; (*b*) the position of the *Gloria in Excelsis;* (*c*) his assertion that "never has the Church to which we belong committed herself to any expression which forbids the worship of our Lord in the Holy Sacrament."

It will be seen that the quotations marked 1 and 2 in each column are identical in meaning, and almost identical in language. No one, therefore, who knows the meaning of words, and can construe the English language grammatically, will deny that Mr. Cheyne and the Bishop of Brechin are at one as to the doctrines of "the Sacrifice of the Altar" and the Adoration of Christ in the Sacrament; nor will any one, I suppose, deny that these are the cardinal doctrines on which the whole controversy has chiefly turned. From this it follows that, if Mr. Cheyne has taught any doctrine which the Bishop of Brechin does not hold, that doctrine must be the one marked 3 in Mr. Cheyne's column—namely, that "the only thing necessary to the completion of the sacrifice is the communion of the Priest." But that cannot be; for, in the *first* place, Mr. Cheyne does not hold that as a *doctrine* at all, but merely as an *opinion*, which, as any one will see who reads his Sermons, dropped from his pen by the way. In the *second* place, be it doctrine or opinion, the Bishop of Brechin defended it, and acquitted it of any error whatever. I am therefore forced to this conclusion, that if there is any doctrinal difference between the Bishop of Brechin and Mr. Cheyne, the difference must be in Mr. Cheyne's favour; that is to say, the Bishop of Brechin must have taught some doctrine which

Mr. Cheyne does not hold. I do not believe that such is the case; but if it were, it would, of course, strengthen my argument, instead of militating against it. The facts are plain and incontrovertible. The Bishop of Brechin has endorsed *all* the doctrines for which Mr. Cheyne was condemned; Mr. Cheyne has simply said nothing about *two* of the heads of accusation against the Bishop of Brechin.

But perhaps it will be said—indeed it *has* been said—that though the Bishop of Brechin *did* hold all Mr. Cheyne's doctrines, yet he has *now* made such explanations and retractations as serve to constitute an essential difference between his case and Mr. Cheyne's—a difference, that is, which will account for the one being dismissed with an admonition "in all brotherly love," while the other was visited with a sentence of perpetual suspension. Is this the case? Let us see.

From the wording of the Bishops' Finding at the last Episcopal Synod, those who have not read the Bishop of Brechin's "Theological Defence" might certainly infer that he had receded from the doctrinal position which he occupied in his Charge, and thereby created an essential difference between himself and Mr. Cheyne. He is acquitted in consequence of "the explanations and modifications which he has offered;" and also because "the Respondent *now* only asks toleration for his opinions, and does not claim for them the authority of the Church." Of course, it is unnecessary for me to express my conviction that his judges had no wish and no intention to misrepresent the Bishop of Brechin; and yet I cannot help saying that I consider the language in which they clothed their sentence misleading. Undoubtedly the Bishop of Brechin made "explanations." His "Theological Defence" was an elaborate and masterly "explanation" of his charge—in the sense in which Bishop Bull's *Defensio* is an "explanation" of the creed of Nicæa. The Bishop of Brechin's "explanations" are just what he himself has called them—a "defence" of the doctrines for which he stood arraigned. I have no objection, then, to the statement that the Bishop of Brechin made "explanations." I freely admit it. Mr. Cheyne made similar, though less copious, "explanations" in his "Reasons of Appeal."

But the Bishop of Brechin offered "modifications." I admit that also in a limited sense. "Modification" is a word which may mean very much or exceedingly little. I am disposed to think that the Bishop of Brechin's "modifications" belong to the latter cate-

gory; but you shall see. The Bishop of Brechin made two "modifications," which I will state in his own language, and then leave you, Sir, to estimate their importance. The first "modification" occurs at page 56 of the "Theological Defence" (4to edition) and is as follows :—

"Now, let me not be misunderstood, Right Reverend Brethren. What I now say, I say out of the love of peace. You yourselves condemned my expression, that 'the Sacrifice of the Cross and the Sacrifice of the Altar are substantially one,' and 'in some transcendental sense identical,' as 'doctrinally unsound.' I have no wish to adhere to any form of expressing my belief, so that I express that belief distinctly, and the Church, and those committed to my charge, know what I believe. If, then, you will accept this language of St. Cyril,* so sanctioned—the one extract directly by three General Councils, the other having the tacit approbation of one—I am perfectly willing to substitute the language of that great Father for that to which you have objected."

Now, what does this "modification" amount to? As I understand it, it amounts to this—"I believe that my own doctrine of the Eucharistic Sacrifice is the true doctrine; I believe that the language in which I have expressed it is correct and accurate, and I have in this treatise defended, at some length, the philosophical and theological accuracy of that language. You, my judges, how-

* The following are the two passages from St. Cyril :—

"Showing forth the death according to the flesh of the only begotten Son of God, *i. e.*, Jesus Christ, and confessing His resurrection from the dead, and ascension into the Heavens, we celebrate in the Churches the holy and lifegiving, and unbloody Sacrifice, not believing that that Body which lies open to common view is the Body of one of the men among us, and of a common man; and in like manner also the precious Blood; but rather receiving it as having become the *proper* Body and also Blood of the all-vivifying word.

"We celebrate in the Churches the unbloody Sacrifice, and so we approach to the mystic eulogies and are sanctified, having been made partakers of the Body, Flesh, and of the precious Blood of Christ the Saviour of all. And we receive it not as common flesh; God forbid! nor indeed as that of a sanctified man, and one associated with the Divinity by unity of dignity, nor as one that hath the Divinity dwelling within him, but as the truly lifegiving, and proper Flesh of the Word Himself."

I put it to any unprejudiced man whether the above language is not quite as strong, to say the least, as that for which the Bishop of Brechin offered to substitute it.

ever, have objected to the language which I have employed. Well, if you admit my *doctrine*, and object *only* to my language, I will, in that case, substitute St. Cyril's language for my own—not because I believe my own language to be wrong, but purely out of the love of peace, and because St. Cyril's language is as strong as my own."

Such is the Bishop of Brechin's first "modification;" and I must be permitted to say that it leaves his doctrine of the Eucharistic Sacrifice precisely where it was two years ago.

The second and last "modification" is on page 41 of the "Reply to the Pleadings" of Mr. Henderson. In his Charge, the Bishop had derived an argument in favour of Eucharistic adoration from the position of the *Gloria in Excelsis* in the Post-Reformation Prayer Book—at the end, instead of at the beginning, of the Communion Service. On this the Presenters founded a subordinate charge of "depraving" the formularies. How does the Bishop meet that charge? He defends what he had said about the position of the *Gloria*, and then adds—

"But I never would confound the importance of an argument in support of what I believe to be true with the truth itself; and, therefore, *while I retain with my whole heart my belief that Christ —my God, the Lamb of God—is an object of adoration wherever He is, and so in the Holy Eucharist itself, while I believe that the words 'Lamb of God' may be holily addressed to Him there*, still, as in the Charge I spoke of it as an argument which 'it may not be safe to press too far,' so, *as it is represented to occasion perplexity*,* I am content to withdraw it."

It is clear that this "modification" is not a modification of doctrine; it is equally clear that it is a "modification" of no importance whatever; and it is no less clear that, if it were otherwise, it would form no *differentia* between the Bishop of Brechin and Mr. Cheyne; for Mr. Cheyne said nothing at all about the *Gloria;* the statements and "modifications" of the Bishop of Brechin on that point are entirely *plus* Mr. Cheyne's case; they do not affect it one way or the other.

I now come to the assertion in the Synod's Finding, that the Bishop of Brechin "does not claim the authority of the Church for his teaching." The Bishops evidently refer to the passage on page 225 of the "Theological Defence," where the Bishop of Brechin

* The italics are mine.

"disclaims all right to enforce" his teaching "on those subject to his jurisdiction by ecclesiastical censures" or otherwise. Now, the question is—Have the Bishops rightly interpreted the Bishop of Brechin's language? If you separate the paragraph containing the disclaimer of right from its context; if you tear it out of the "Theological Defence," and place it before you in its naked isolation; in that case, I suppose the literal and grammatical interpretation of it will support the gloss which the Bishops have put upon it. This ought to be admitted in justice to the Bishops. If a Bishop has no abstract right to enforce a particular doctrine, then I think it must be conceded that he has not the authority of the Church for that doctrine. I say *abstract* right, because I believe the misunderstanding in this case has mainly arisen from a forgetfulness as to the difference between what is abstractedly right and what is relatively so. A man may have a right to do what, nevertheless, it would not be right for him to do; in other words, he may possess a right which, under certain circumstances, it would be wrong for him to exercise; an abstract right may become a concrete wrong. This is so obvious that it needs no illustration.

Now, it is in this secondary sense that I understand the Bishop of Brechin to "disclaim the right to enforce" the doctrine of his Charge. I understand him to mean that, looking at the past history and present position of our Church, it would not be right for him to exercise his legitimate right of enforcing the true doctrine of the Eucharist on those subject to his jurisdiction; especially as he believes that he can propagate it far more effectually by other means. Assuredly, the Bishop of Brechin cannot occupy lower ground on this subject than the Bishop of St. Andrew's, who claims the right to enforce the terms *really* and *truly** as descriptive of the Eucharistic Presence. For the Bishop of Brechin to admit more than I suppose him to admit would be to make the whole of his "Theological Defence" a meaningless paradox. If he only asks toleration for his teaching as a mere private opinion, what can we possibly make of such passages as the following?—

"I wish only to say what she (the Church) says; I repudiate all private interpretations and peculiar theories."—*Charge, p.* 2.

"My belief, dearer to me than life itself."—*Defence, p.* 288.

"I am quite prepared to endure all the consequences of the publication of my Charge, and of my *continued adherence to the*

confession of my deepest convictions therein declared. It is an honourable thing to suffer loss, if need be, in maintenance of what one believes to be *the truth of God*, and there is a mighty law which attaches the propagation of such belief to the constancy with which it is suffered for."—*Reply to Pleadings, p.* 45.

"*I solemnly believe that you cannot condemn me without condemning the words of our Lord Jesus.*"—*Ibid, p.* 47.

Now, really, if, after all this, and a good deal more to the same effect, the Bishop of Brechin does not claim the authority of the Church for his teaching, ancient words have lost their meaning, and we require a new dictionary of the English language. To "say only what the Church says," and yet to disclaim the authority of the Church for that saying; to "repudiate all private interpretations and peculiar theories," and yet to claim acquittal *because* the doctrine of the Charge is a mere "private interpretation and a peculiar theory;" to call a private opinion a "belief dearer than life itself;" to consider it "an honourable thing to suffer loss" for what is at once a private opinion and "the Truth of God," a δογμα and a δοξα, an article of faith and a human speculation; to assert that the condemnation of the doctrine of the Charge involves the condemnation of the doctrine of the Lord Jesus—in other words, that it is heresy to condemn what the Church does not authorize; —these are contradictions which, for aught I know, it may be possible to reconcile; but I cannot do it. I find myself in this dilemma: the Bishop of Brechin claims the authority of the Church for his teaching, or he does not; if he does not, his Primary Charge and "Theological Defence" have no conceivable meaning; if he does, his judges have unintentionally misinterpreted—if not his language, at all events—his meaning. I cannot persuade myself that the former hypothesis is the right one, and I must therefore take refuge in the latter. If I am wrong, the Bishop of Brechin is alive and can correct me.

But, even if it were the case that the Bishop of Brechin does not claim the authority of the Church for his teaching, that would not account in the smallest degree for the discrepancy between his sentence and that passed on Mr. Cheyne; for Mr. Cheyne was not condemned because he claimed the authority of the Church for his teaching, but because his teaching was (as his judges thought) in itself false. And this brings me to the second question which I proposed to answer.

2. It is, I am aware, a prevalent opinion that Mr. Cheyne was condemned for intolerance, not for false teaching; because he claimed the authority of the Church for his doctrine, not because the doctrine was in itself penal. That is a widespread opinion, but it is an opinion which has not one grain of truth in it. The Bishop of Aberdeen suspended Mr. Cheyne "until such time as he shall renounce and purge himself before me of the erroneous teaching contained in each and all of the quotations from his sermons quoted in the third branch of the Presentment." Such is the wording of the sentence against which Mr. Cheyne appealed to the Episcopal Synod. And what was the decision of that venerable tribunal? This—"that the teaching of the appellant complained of in the Presentment is erroneous, and more or less in contradiction to, and subversive of, the doctrines of the Church." Accordingly, the Court of Appeal called on Mr. Cheyne to "retract the said teaching," and "express his regret for those passages" which I have already given on page 4. Nor was this all. The judges of the Appeal Court not only asked him to "retract the said teaching," but to do so *in the sense "explained in the Opinion" of the Bishop of St. Andrew's.* That is to say, they inflicted a new sentence altogether; and a much severer sentence, too, than the one appealed against. Now, I ask you, Sir, as one conversant with such matters, whether you know of a single instance in the history of this country where a Court of Appeal increased the rigour of a sentence which came up to it for adjudication from an inferior Court. But I do not dwell on this point just now. I am at present engaged in showing that Mr. Cheyne was condemned for false teaching, *and for that alone;* and I think I have proved—what, indeed, was not a very difficult matter—my case. I have quoted the sentences passed on Mr. Cheyne in the Diocesan Court and in the Court of Appeal respectively; and I think it will require all the shifts of an ingenious fancy, *and more,* to extract from them any other meaning than that which I have put upon them. Mr. Cheyne was not accused of intolerant or exclusive teaching; Mr. Cheyne was not condemned for intolerant or exclusive teaching; he was presented, and tried, and condemned, purely and entirely for doctrine which was then deemed "erroneous," and "subversive," and "false." This, Sir, is as certain as that I am at this moment writing a letter to you. The assertion that Mr. Cheyne was condemned for anything but heresy is—what he himself has characterized it—"a pure invention."

An Eastern proverb says that "a lie has no legs;" which, I suppose, means that, in the long run, it is sure to be found out. The "invention" about Mr. Cheyne's intolerance was fabricated by the *Scottish Ecclesiastical Journal*—a paper which, after skipping about for a considerable time on the frontier line of the controversy, in a sort of theological *delirium tremens*, gravely refuting one month what it as gravely maintained the month before—at last, to quote its own figurative language, "escaped from the idol with the double face, and embarked . . . . under the shades of its forefathers." Who those "forefathers" are, the *Journal* does not say, and I am not curious to, inquire; but, certainly, its pages since then supply abundant evidence that its intellect and conscience have indeed been "under the shades" of some influence the reverse of benign.

The number for February, 1859, has an article on "The Real Aspects of the Ecclesiastical Controversy," which opens thus—"Toleration or Supremacy—whether of these two do Mr. Cheyne and his party ask for? whether of these two has our highest Court of Appeal been so bitterly assailed for refusing?" The writer accordingly proceeds to answer his own questions; and his answer is, that Mr. Cheyne was condemned for being "professedly intolerant and exclusive;" the Bishops refused to tolerate—not his doctrine, but—the supremacy of his doctrine.

Now, I will candidly confess that I do not like a good many things which our Bishops have done in the course of this unfortunate controversy; I will honestly admit that I think Mr. Cheyne was unjustly condemned; but I cannot believe that our Bishops are deliberate hypocrites, as the *Scottish Ecclesiastical Journal* would persuade us. For, if the Bishops *really* condemned Mr. Cheyne for being "intolerant and exclusive," while they *professed* to condemn him for something totally different, what confidence can we ever have in them again? They are certainly much obliged to their anonymous apologist. I have a better opinion of them than he.

This refutation of the *Journal's* sophistry was necessary, because many people accepted as true what was stated with such boldness and confidence; but the character of the article in question, and indeed the whole moral tone of the paper, are such as to require no further notice here.

I want to know, however, what those people mean who accuse Mr. Cheyne of intolerance. "To be intolerant is to do, or endeavour to do, injury to another on account of his religious

opinions."* Such is the definition of a writer who will not be suspected of undue partiality to Mr. Cheyne, inasmuch as he was one of the judges who condemned him. He holds that intolerance consists in *acts*, not *words*. Now, if Mr. Cheyne has ever "done, or endeavoured to do, injury to another on account of his religious opinions," let the case be produced; if he has not, let us, on the authority of the Bishop of Edinburgh, never again hear of Mr. Cheyne's intolerance. In his "Six Sermons," Mr. Cheyne certainly intended to "mean as the Church means;" but it is surely a strange perversion of reasoning which would find in this intention an evidence of intolerant bigotry, or disloyal Churchmanship. I have always understood that it was a clergyman's first duty to strive in all his teaching to "mean as the Church means;" and, when I was ordained, I never dreamt that I could innocently teach on my *own* authority what it would be heretical and penal to teach on the authority of *the Church*. It was at a very solemn moment of my life that I was asked—"Will you then give your faithful diligence *so* to minister the doctrine and sacraments, and the discipline of Christ, *as* the Lord hath commanded, and *as* this Church hath received the same?" And when I answered—"I will do so, by the help of the Lord," it really never struck me that I was at liberty to teach heresy as my own private opinion, provided I took care to disclaim for it the authority of the Church. I cannot believe that any British jury would consider it an extenuation, much less a palliation, of a physician's guilt, that he administered poison to his unsuspecting patients on his own private authority, instead of that of the Faculty.

But really all this talk about "exclusiveness" of doctrine comes very strangely from men who believe in immutable principles of right and wrong. If truth is indeed an objective reality, and not a mere subjective notion; and if, as the heathen could tell us, "men may be wrong in many ways, but right in one alone;"† then I do not see how it can be a matter of reproach against a man, much less form the subject of a charge involving penal consequences, that he teaches what he believes to be true,

* Bishop of Edinburgh's Charge for 1857, p. 27.

† Ἔτι τὸ μὲν ἁμαρτάνειν πολλαχῶς ἔστιν . . . . τὸ δὲ κατορθοῦν μονσχῶς.—*Aristotle Eth. II.* 5.

as the *only* truth. I know that there were men in ancient times who taught that right and wrong were mere conventional terms, and meant just what each man chose to make them mean—that "man was the rule and measure of all things," and individual opinion the sole criterion of truth; I know that there are men in our day and country who preach the same doctrine; but Protagoras and Mr. Francis Newman are not exactly the men to whom I should like to go in search of the eternal truth of Him "with whom is no variableness, neither shadow of turning." Any one who believes that truth is one, that it is indivisible, that it stands unmoved by the ebb and flow of human opinion, and remains impassive in the midst of human passions, must, if he holds a doctrine at all, hold it as an exclusive doctrine. Truth is essentially exclusive; it throws off foreign substances, and error cannot assimilate with it. Mr. Cheyne does not stand alone in thinking so. "Whoever dogmatically lays down his own opinions on any point of Christian theology," says Dean Ramsay, "implies, of course, that he considers those who maintain other and different views on the subject to be in the wrong. So far, therefore, every exposition of Eucharistic doctrine may be termed controversial."* From his own point of view, Dean Ramsay is quite as exclusive as Mr. Cheyne; both alike hold the contradictory of their respective doctrines to be error. "Those," says the Bishop of Edinburgh, speaking of various theories on an important point of Christian doctrine, "who hold any one of these schemes to be right, must, I should think, hold all the others to be wrong."† Clearly so; yet I imagine the amiable Dean of Edinburgh and his venerable Diocesan would be not a little amazed to find themselves charged with intolerance and suspended for life, in consequence of the above apparently innocent admissions. With regard to such a charge, the Primus says that those who make it "understand by the word intolerance something very different from what the word ever meant in the mouth of any thoughtful and accurate speaker."† In truth, the assertion, so unscrupulously made and so implicitly believed by some, that Mr. Cheyne was not condemned for false doctrine, but for intolerance and exclusiveness of statement, is so egregiously absurd, that to

* The Scripture Doctrine of the Eucharist, p. 1.

† Charge delivered in 1857, p. 26.

state it is to refute it. Our rulers, notwithstanding all that has been said of them, are not so infatuated as to suspend for life a distinguished clergyman—not for immorality, not for false doctrine, not for a tyrannical exercise of discipline, but—for using "provocative" language! I am sure they never would dream of doing anything half so atrocious; and, as a matter of fact, they have not done it. Their words are on record, and any one may read them.

So far, then, any one, who takes the trouble to master the facts of the case, must admit that there is no substantial difference between Mr. Cheyne and the Bishop of Brechin, and that any unimportant difference which may happen to exist, is in Mr. Cheyne's favour.

But now comes another difficulty. Mr. Cheyne was tried and condemned a second time; and that not on a charge of false doctrine at all, but of disobedience and contumacy. The facts are these. The first sentence (August 5, 1858), suspended Mr. Cheyne "from his office of a Presbyter of the Episcopal Church in Scotland," and "from exercising any of the functions belonging to that office." Mr. Cheyne interpreted this as an inhibition from the exercise of all acts which he could perform *quâ* Presbyter—from all essentially presbyterial functions—leaving him, as he understood, free to officiate as a Deacon. The phrase "any of the functions belonging to that office" (of a Presbyter), he understood to mean "any of the functions which *only* a Presbyter can discharge." He believed that, though the office of Presbyter included that of Deacon, the Diaconate was not *absorbed* in the Priesthood; and that the acts, for instance, of baptizing, burying, and public catechising, did not *belong* to the office of a Presbyter, but were only connected with it by what logicians call an inseparable accident. In short, the interpretation of the Bishop of Aberdeen's sentence turned upon the question, whether the phrase, "all the functions belonging to the office of a Presbyter," was convertible with the phrase, "all presbyterial functions," and meant the same thing. Mr. Cheyne believed that it was so. It did not occur to him that the expression, "any of the functions belonging to the office of a Presbyter," meant "any of the functions which a Presbyter *can* perform." I will illustrate Mr. Cheyne's view of the case by a parallel which you, Sir, will understand. When the House of Commons, two years ago, declared a vote of no-confidence in Lord Palmerston's Government, it

suspended his Lordship from his office of Prime Minister of England, and from any of the functions belonging to that office; but Lord Palmerston did not understand that to mean a suspension from *all* the Parliamentary functions which a Prime Minister could discharge; for he crossed over to the Opposition benches, and fell back on the functions which belonged to him as member for Tiverton.*

Such, then, being Mr. Cheyne's interpretation of the Bishop of Aberdeen's sentence, he continued to officiate as Deacon in his own church; that is, he read prayers and catechised the children. Being anxious, however, to act as much as possible in the spirit, as well as in the letter, of the Bishop's sentence, he never preached,† though he considered that the terms of the sentence left him the full right to do so. He believed that the Bishop *meant* him not to preach, though the wording of the sentence did not, as he conceived, convey that meaning; and therefore he did not preach. But he certainly had no idea that the Bishop intended him not to officiate *at all*, as the sentence undoubtedly left him still Incumbent of St. John's.

About the Feast of the Epiphany, 1859, Mr. Cheyne published a Letter to his congregation in answer to an Address which they had presented to him. In that Letter he said that, in condemning him, the Bishops had committed themselves to "virtual heterodoxy."

On the 14th day of April, 1859, Mr. Cheyne received a formal citation from the Bishop to appear before a Special Diocesan Synod, which was summoned to meet at Aberdeen on May 3, and there make answer to the charges brought against him. The charges were three in number:—

* Of course, the analogy fails in this—that Ecclesiastical Orders are indelible, and political distinctions are not. Lord Palmerston ceased *to be* Prime Minister the moment he resigned the office, but Mr. Cheyne *could not* resign the *office* of a Priest, though he might forego its exercise.

† As some misconception exists on this subject, I may as well state the facts of the case. At the Aberdeen Synod, Mr. Cheyne, acting under the advice of his lawyer, declined to criminate himself, that is, he declined to be examined as a witness in a case where he himself was on his trial. This was held in the Synod itself, and outside the Synod, as tantamount to a confession of being (in legal phrase) *Guilty*. Yet the facts are as I have stated them; Mr. Cheyne never preached.

1. That Mr. Cheyne had "officiated as Pastor of the Church of St. John the Evangelist, by teaching and catechising the children, baptizing, reading the morning and evening prayers, the burial service, and on one or more occasions preaching* or publicly lecturing in said church to the congregation there assembled."

2. That he had "written and subscribed a certificate of the fitness of a candidate for Confirmation, and caused the same to be transmitted to his Ordinary, and required him to confirm the candidate thereon; which certificate having been rejected" by the Bishop, Mr. Cheyne had required his curate, the Rev. W. H. Hutchins, to admit the rejected candidate to the Holy Communion, intimating, at the same time, that he (Mr. Cheyne) intended to exercise the functions belonging to the office of a Deacon.†

* I have already stated that this is a mistake.

† A very shallow and flimsy argument against Mr. Cheyne has been founded upon this. "Had Mr. Cheyne," it is said, "confined his ministrations to those (functions) which are *peculiar* to the Diaconate, although he would, even in this case, have been guilty of irregularity (because not licensed to act in that capacity), his offence would not have amounted to direct contravention of the sentence. But how did he act? Not as an assistant of the Priest, but as his Ecclesiastical superior; he claiming to be a Deacon, directed, in the performance of his duties, the Priest licensed to officiate in St. John's, and not only so, but he claimed to have cure of souls—which no Deacon ever could have," &c.

Does the writer of this transparent nonsense really suppose that the sentence of suspension actually deprived Mr. Cheyne of the *office* of a Priest, and left him a *Deacon pure et simple?* If he does, it is useless to argue with one who simply does not know the alphabet of theology; if he does not, what is the meaning of his argument? Mr. Cheyne maintained that he was still Incumbent of St. John's, and therefore did not require a licence. He maintained that, of course, he still remained Priest, though the sentence of suspension had put the *exercise* of that office in abeyance. This being the case, he was, of course, his curate's Ecclesiastical Superior. If he was not, whose *Curate* was Mr. Hutchins? A Curate implies an Incumbent as an Ecclesiastical Superior. Was Mr. Hutchins Curate *in partibus?* Did this very wise writer never hear of an inferior Ecclesiastical order having jurisdiction over a superior? Did he never read of Abbots (Priests) having Ecclesiastical jurisdiction over Bishops? But Mr. Cheyne was not in the case of a man in an inferior Ecclesiastical order having jurisdiction over one of a superior order; he was a Priest in as true a sense as Mr. Hutchins, though he was suspended from the *exercise* of his office. If Mr. Cheyne was neither Incumbent nor in possession of the Bishop's licence, it is difficult to conceive what jurisdiction the Bishop held over him at all.

3. That he had publicly asserted that, in condemning him, "the majority of our Bishops" "had virtually denied the Catholic faith concerning the most Sacred Mystery of the Eucharist;" and that "the Scotch Church was committed to the heterodoxies" which the finding of the Court of Appeal embodied.

It is unnecessary to give the particulars of the trial. The result was, that the Bishop of Aberdeen found Mr. Cheyne guilty on all the three counts; the first two rendering him "guilty of the Ecclesiastical offence of disobedience to the lawful sentence of his Ecclesiastical Superiors;" the second involving a "breach of his ordination vow." Accordingly, the Bishop "publicly declared him to be no longer a clergyman of the Episcopal Church in Scotland."

Mr. Cheyne appealed to the College of Bishops, who affirmed the sentence of the Diocesan Court by a majority of three to two. But, as in the former appeal, the superior court not only affirmed the sentence of the inferior, but they did so *on a totally different ground.* In the former appeal, the majority of the Bishops not only asked Mr. Cheyne to retract his own teaching, as the sentence of the Bishop of Aberdeen required, but, further, to accept the teaching of the Bishop of St. Andrew's "Opinion" in its stead. So, in the second appeal, they condemned Mr. Cheyne, not as the Bishop of Aberdeen had done, for disobedience to the original sentence, but for not believing, *in his own mind,* that the interpretation put upon that sentence by the majority of the Bishops was the correct one. You will probably think, Sir, that I am making a very extraordinary assertion. I do not deny it; but the following facts will show whether it is, or is not, a well-founded assertion.

Mr. Cheyne's speech, in support of his appeal, concludes thus—

"The appellant may here briefly sum up his pleas. They are the following:—

1*st*, That the trial before the Diocesan Synod was not conducted legally or regularly.

2*d*, That the offences charged were not proved.

3*d*, That, if the facts charged had been proved, they did not involve any disobedience to the sentence of suspension, rightly interpreted, or to the Canons of the Church.

4th, That, even if the appellant's interpretation of the sentence had been finally shown to be an erroneous one, his offence, if proved, amounted to no more than the misconception of a sentence which must, to say the least, be held to be ambiguous, and did not imply any wilful or contumacious disobedience, which he most sincerely disclaims.

5th, That it has never been the practice in our Reformed Communion to require, under penalties, that an ecclesiastical sentence shall be received, without remonstrance, as true and just, and binding *in foro conscientiæ.*

"The appellant trusts that what has now been said will satisfy your Lordships that the Bishop's sentence was erroneous—not only from the deficiency of proof, but on the merits, and, therefore, that it ought to be recalled.

"If, however, your Right Reverend Synod should come to an opposite conclusion, *nothing remains for the appellant but to bow to that decision.* He will frankly avow that he thinks hard measure has been dealt to him. No heavier penalty could have been imposed though he had been accused and convicted of the worst crimes. To say that no alternative was in the power of the Bishop who pronounced the sentence—that none is now in the power of your Lordships, to whom it belongs to annul or to confirm it—is surely a mistaken view. . . . . It is not, perhaps, the estimate of self-partiality alone which suggests the thought that the penalty imposed is disproportioned to the offence.

"The appellant commits his cause to your Lordships' justice, in the first instance, and then to God, and the judgment of posterity."

There are two things in the above extract which I wish to be carefully noted. First, Mr. Cheyne declares that should the sentence of the Bishops be adverse, he will "bow to that decision;" secondly, he maintains that he will not be infringing the sentence by not considering it binding on him *in foro conscientiæ.* In other words, Mr. Cheyne promises to render a practical submission to the sentence, *whatever he may think of it.* I wish this to be borne in mind, for it throws light on what follows.

After the Bishops had all delivered their opinions, the following form of retractation was offered to Mr. Cheyne:—

"I, Patrick Cheyne, do now solemnly and publicly declare that I will *submit my judgment to the judgment of the Episcopal Synod*, and that so long as the sentence of suspension is in force against me, I will abstain from the performance of any clerical functions, whether Presbyterial or Diaconal; and, moreover, I hereby express my regret for having, in a letter addressed by me to the congregation of the church of St. John the Evangelist, Aberdeen, charged the College of Bishops, and, as implicated by them, the whole Scottish Church, with heterodoxy; and I request that such accusations may be considered as cancelled and withdrawn."

Then follows a conversation, which I subjoin here, from the authorized report.

"The Primus—Does Mr. Cheyne wish time to consider?

"Mr. Cheyne—I require no time to consider whether I can agree to that form. I beg to repeat what I have stated in my reply—'If the final judgment be an adverse one, the appellant has already said, and he again says, that nothing remains for him but to bow to it. Further, if the appellant's language is considered to have been unbecoming and offensive, he repeats his unfeigned expression of regret that such should have been the case.' But I cannot accept that form.

"The Primus—I am sorry to learn that you cannot accept that form.

"The Bishop of Moray asked whether Mr. Cheyne was willing to cancel and withdraw the language he had used?

"Mr. Cheyne—Allow me to say that I took the Bishop of St. Andrew's 'Opinion,' and the finding of the Court as a whole, and my language referred to it. In that finding the 'Opinion' of the Bishop of St. Andrew's is referred to, and put before me as the Synod's explanation of the Church's doctrines, which I was bound to receive, having retracted my own. Now, *so long as that Finding stands*, it is impossible for me, with my love of truth and my fear of God, to accept that form.

"The Bishop of St. Andrew's—My impression is that Mr. Cheyne is under a misunderstanding.

"Mr. Cheyne—I read the Finding of the 4th November, which 'finds that the teaching of the appellant is erroneous, and more or less in contradiction to, and subversive of, the doctrines of the Church, as explained in the opinions of the majority of the Court now delivered.' That, I presume, refers to the 'Opinion' of

the Bishop of St. Andrew's, in which the Bishop of Moray 'entirely,' and the late Bishop of Glasgow 'generally,' concurred. That 'Opinion' is, therefore, put forward as an explanation of the doctrines of the Church, which I was called on to receive, having retracted my own."

Then, after an interchange of remarks between the Bishop of Moray and Mr. Cheyne, "the Court retired for private deliberation." Now, let us not forget what the subject of their private deliberation was. It was this—Whether the Scottish Episcopal Church was committed to the "Opinion" of the Bishop of St. Andrew's, and committed to it so thoroughly that no Scotch clergyman could henceforth call that "Opinion" heterodox without rendering himself liable to deposition from the ministry. Mr. Cheyne had just explained that he had used the language which he was called on to "cancel and withdraw," on the supposition that the majority of the Bishops had, at the 4th November Synod, committed themselves and the Church to the "Opinion" of the Bishop of St. Andrew's; that he understood them to ask him not only to retract his own teaching, but to accept the teaching of the Bishop of St. Andrew's' "Opinion" as an article of faith; that *so long*, therefore, as the "Opinion" of the Bishop of St. Andrew's occupied that position, he could not conscientiously withdraw the language complained of —implying, of course, that he *would* withdraw it, if the Court would only say that the "Opinion" of the Bishop of St. Andrew's was not binding on him and on the Scottish Episcopal Church as an article of faith. *That* was the point on which the Bishops went out to deliberate; namely, whether the "Opinion" of the Bishop of St. Andrew's was binding on the Church in Scotland to such an extent that, for a clergymen to call it "heterodox," was to commit a "breach of his ordination vow," and make himself amenable to deposition. I now proceed with the report.

On the Court returning,

"The Primus said that, speaking for himself, he must express his great regret that Mr. Cheyne had not complied with the proposition which was made. Considering this refusal, the Court had come to the determination which the Clerk would now read.

"The Bishop of Glasgow then read as follows:—'Mr. Cheyne having read the said form of retractation and apology, stated that he declined to accept of or subscribe the same, whereupon the Synod, having resumed consideration of the case, affirm the sen-

tence of the Bishop of Aberdeen, and repel the appeal thereagainst, and of new reject the appellant, and publicly declare him to be no longer a Clergyman of the Episcopal Church in Scotland, reserving to him to apply for restoration, upon giving evidence of a sincere repentance, in the manner authorized by the 41st of the Canons."

I hold myself justified in drawing two inferences, which indeed appear to me necessary and inevitable, from this proceeding of the Episcopal Synod. The first inference is, that the Court of Appeal asked Mr. Cheyne to abdicate the prerogative of a reasonable being —to submit not only his words and actions (for this he had already repeatedly pledged himself to do), but his *very thoughts* "to the judgment of the Episcopal Synod;" they asked him not only to obey their sentence, but to consider it reasonable, and just, and good. The second inference is, that the "Opinion" of the Bishop of St. Andrew's is at this moment Synodically binding on the Scottish Episcopal Church as her Eucharistic creed. Mr. Cheyne made a direct appeal to his judges on this very point. He offered to withdraw the language which had given offence, if the Bishops would say Synodically that the "Opinion" of the Bishop of St. Andrew's formed no integral part of the 4th November Finding—*i. e.*, was not binding on the Scottish Church. The Bishops went out to deliberate on this very point; they came back; they expressed regret that Mr. Cheyne had not accepted the form of retractation and apology which they had offered him; and, without more ado, they passed sentence on him. Thus Mr. Cheyne stands condemned, because, first, though willing to submit his words and actions to the judgement of the Episcopal Synod, he refused to submit his *judgment* to their judgment; and, because, secondly, he publicly told his congregation that the Scottish Church was committed to "heterodoxies," and refused to "cancel and withdraw" that language, unless the Court affirmed that the Church in Scotland was not committed to the "Opinion" of the Bishop of St. Andrew's.

Now, I will here own that I think the sentence inflicted on Mr. Cheyne in the Diocesan Court excessively severe; and I think it probable that the Bishop of Aberdeen himself, looking back at it through the calm vista of the past twelvemonth, would allow that a less severe sentence would have been quite proportionate to the offence. But, severe as I consider the sentence of the Bishop of Aberdeen to be, it is mildness personified compared to that which

the Court of Appeal substituted in its stead. If the Bishop of Aberdeen scourged Mr. Cheyne with rods, the College of Bishops certainly scourged him with scorpions. The Bishop of Aberdeen has a serious ground of complaint against the superior Court, for having thus unceremoniously set aside his sentences on two different occasions.

I have seen it, indeed, stated and argued, that Mr. Cheyne received *substantial*, thought not *formal*, justice. "Substantial justice," Sir, is a polite euphemism for what the Americans call somewhat more curtly lynch law. There may be some other state of being, though I am not aware of it, where the substance of justice is administered apart from its form; but certainly California and Utah do not make me enamoured of such a distinction on earth. "The Judge of all the earth," if any, might well award "substantial justice;" and yet, if Holy Scripture speaks truly, the most august distribution of justice which the world is destined to witness will be a terribly formal one. But the truth is, no argument comes amiss to those who are determined to arrive at a certain conclusion *somehow*. Newman said long ago, in his brilliant *Letters of Catholicus*, that "Logicians are more set on concluding rightly than on drawing right conclusions; they cannot see the end for the process." The converse of this has been exemplified in the case of more than one of our recent Scotch controversialists. They appear more intent on drawing right conclusions than on concluding rightly; such is their impatience to get at the desired "end," that they frequently burst through, or leap clean over, the "process." Now, I confess I am not an admirer of "short methods" with opponents. I think the chances are that those who resort to them will in the end miss the right conclusion, as certainly as they have discarded the right process. I believe it to be as true in the intellectual and moral, as it is in the physical world, that those who are fond of taking short "cuts" run a considerable risk of sticking in the mire, or losing their way. Besides, the game of "substantial justice" has this inconvenience, that two can play at it. If the rulers can *punish* on a theory of 'substantial justice," it is obvious that the ruled may *obey* on the same theory. In fact, "substantial justice" is simply a return to the "good old rule, the simple plan;" but the "noble savage bounding through the woods" does not quite realize my idea of human perfection. None of the Bishops themselves, that I am aware of, has put forward this preposterous and

suicidal theory of "substantial justice;" but they have been singularly unfortunate in their defenders.

I have now placed before you, Sir, the plain facts of Mr. Cheyne's case; and I appeal to you whether the acquittal of the Bishop of Brechin does not involve, as a logical consequence, the restoration of Mr. Cheyne. I have shown, by a simple statement of facts which cannot be controverted, that there is no difference whatever between Mr. Cheyne's doctrine and the Bishop of Brechin's. Both teach the very same doctrine, and both teach it on the authority of the Church. The Bishop of Brechin tolerates other statements of that doctrine than his own, and Mr. Cheyne never has done, and never intended to do, and never expressed any intention to do otherwise. He claims the right to express the doctrine of the Real Presence in his own way, but he would never dream of persecuting those who differ from him. He claims the liberty of saying that he *considers* certain views on the subject erroneous—a liberty which is freely accorded to all except himself. But to say that you *consider* certain statements erroneous is one thing; to visit the author of such statements with pains and penalties is quite another. Mr. Cheyne has done the former; his opponents have done the latter. On which side does toleration lie? It was not Mr. Cheyne who persecuted a brother Presbyter, and left no effort untried to achieve his ruin.

Mr. Cheyne has called the Bishop of St. Andrew's "Opinion" heterodox; is that a reason why he should be treated as a felon? If so, he is a felon in a large company, of which the author of the "Christian Year," and an illustrious Regius Professor at Oxford, are the acknowledged leaders. And, moreover, if Mr. Cheyne's language is so very heinous, is the Bishop of Brechin's still stronger language so very innocent as not to merit even a rebuke? Mr. Cheyne said that, in condemning him and committing themselves to the "Opinion" of the Bishop of St. Andrew's, the majority of the Bishops had "virtually denied the Catholic faith concerning the most Sacred Mystery of the Eucharist." Compare that language with the following language of the Bishop of Brechin:—"I appealed in my Defence not only to the great fathers of the Church and the approval of General Councils, but to those also who in these later days have in our own communion taught, I am convinced, the same as I have taught; I believe that you cannot condemn me without condemning them: but, more than that, I so-

lemnly believe that you cannot condemn me without denying the words of our Lord Himself. A great responsibility attaches to all condemnation, lest it should be done in error. A few years will remove both you and myself to stand before the judgment-seat of Christ: think what it will be at that day, should you, in condemning me, have condemned His Eternal Truth."*

What is the difference between Mr. Cheyne's language and this language of the Bishop of Brechin? The only difference is, that the one is prospective and the other retrospective. The Bishop of Brechin says—*If* you condemn me, you will condemn God's Eternal Truth. Mr. Cheyne says—You *have* condemned me *and* endorsed a certain "Opinion," and, by so doing, you have denied God's Truth on a particular subject. Mr. Cheyne's language was punished with virtual deposition; the Bishop of Brechin's was not even rebuked. Has justice held an even balance here?

Again, a great deal of rhetorical indignation has been fired at Mr. Cheyne for saying that he "means as the Church means." Well; but the Bishop of Brechin "says as the Church says, and repudiates all private interpretations."† Where is the difference? I do not believe that there is any; but those who *will* insist on a difference must allow it to be in Mr. Cheyne's favour. For the man who *means* as the Church means may possibly be mistaken, but he is a loyal Churchman; whereas he who *says* what the Church says, without *meaning* what she means, is—what no one, whose opinion is worth having, will say the Bishop of Brechin is.

There is another consideration which, I humbly think, ought to weigh with our rulers. It is very important that our Church should not present herself to those who are outside her pale as a persecuting Church—a Church whose Presbyters have no chance of fair-play at the hands of her Prelates. Now, that is the light in which our Church is at this moment regarded by the Christian denominations around her. They can discover no difference whatever between Mr. Cheyne's case and the Bishop of Brechin's; and the moral which they have all drawn from two such diverse measures of justice as have been meted out is a very significant one. It is this—that Prelacy is essentially tyrannical; that a Bishop may be guilty of any enormity, yet he is sure to be acquitted by his

* Reply to Pleadings, p. 47.
† Charge, p. 2.

peers; that a Presbyter may be ever so pure and exemplary, yet let him but say one word against a Bishop, and he need not expect either mercy or justice; "the Bishops have the best of it," as a Presbyterian newspaper has expressed it. The Presbyterian Press generally has been loud in its denunciation of the treatment which Mr. Cheyne has received "for standing up so nobly in defence of his order." But I will not quote Presbyterian newspapers or anonymous reviews. I will quote the calm and deliberate opinion of a highly-educated and accomplished Presbyterian country gentleman—one who may be regarded as a very fair exponent of the verdict which Presbyterianism has delivered on the recent acts of the Scottish Episcopal Synod. Mr. Thomson of Banchory has just published an octavo pamphlet of 46 pages* to warn his countrymen against what he considers the inherent "despotism" of Scottish Episcopacy. The late proceedings of our Bishops, he thinks, have resulted in "establishing *not the spiritual independence of the Church, but the spiritual despotism of her rulers.*"† "And to this Presbyterian Scotland is prepared, as a nation, to give the most determined resistance. It is the insertion of the small end of the wedge; if not resisted and rejected, the attempt may be made to drive in the whole implement."

Mr. Thomson "thinks Mr. Cheyne has had cause to complain of the treatment he has received," both because his doctrine, as Mr. Thomson conceives, is the doctrine of the Scottish Episcopal Church, and also because the Bishop of Brechin, professing the same doctrine, was acquitted. His remarks on this point are so pertinent that I am tempted to quote them *in extenso*—

"One of her Bishops, who had taken an active part in defending Mr. Cheyne when on his trial, was himself accused by one of his own clergy of holding opinions similar to those of Mr. Cheyne, or perhaps which tended still more decidedly towards Romanism, and has been publicly tried by his peers—the other Bishops of his Church.

"This proceeding was so novel that, like Mr. Cheyne's, the case while in progress excited great curiosity on the part of the public. The results, however, in the two have been widely different. Mr.

* Scottish Episcopacy, Past and Present. By Alexander Thomson, Esquire of Banchory.

† The italics here, and wherever I quote him, are Mr. Thomson's own.

Cheyne was suspended and virtually deposed, while the Bishop escapes all punishment save a very peculiar admonition. The only perceptible difference betwixt the two cases seems to lie in this, that, while both the accused held the self-same doctrines, the Bishop in his defence made certain dialectic definitions and distinctions, in no way affecting the essence of his doctrines, but only clothing them in an impenetrable robe of obscurity, while Mr. C. vouchsafed no comments, but simply adhered to his opinion.

"We may be mistaken, but we cannot see any *real* scriptural *difference* betwixt the doctrine of Bishop Forbes and that of Mr. Cheyne. We think both erroneous, and both at the same time strictly in conformity with the Communion Office and Catechisms of the Scottish Episcopal Church; but the Synod has not ventured to condemn in the Bishop what they had previously condemned in the Presbyter.

"Perhaps the action of the Bishops may have been restrained by their knowledge of the singular esteem in which Bishop Forbes's personal character and untiring benevolence are justly held, not only by his own flock but also by those who have no sympathy with his High Church doctrines; and yet the same feeling of personal esteem was as applicable to Mr. Cheyne in his more limited sphere of action. To a mere spectator the difference seems very strange. Can it be that their relative positions in their Church had any influence in the matter? A *Presbyter*, however pure and exemplary in his life, might be suspended for erroneous doctrine without much danger; but a *Bishop!*—he must not be troubled beyond a certain point, lest damage should ensue to the order."

Mr. Thomson quotes the Finding of the Episcopal Synod in the case of the Bishop of Brechin, on which he comments as follows:—

"By this most lame conclusion Bishop Forbes is left at perfect liberty to teach his own doctrines, provided he teaches them merely as his own opinions, so long as he does not enforce them as those of his Church. Surely his brother Bishops, by announcing this conclusion, condemn themselves as either very indifferent as to whether truth or error be taught, or as wholly unable to find out and say what is truth in the matter, or even to tell their people what their own Church holds and believes to be the truth. We cannot but sympathise most deeply with the members of a communion whose Bishops offer to them such uncertain teaching.

"A Presbyterian may, perhaps, not be reckoned a very good judge of the powers and duties of a Bishop of the Scottish Episcopal Church; but surely the plain meaning of the word επισκοπος, or overseer, in a Church, implies that the important function of a man holding such an office is, to take care that his subordinates teach no heresy for truth; whereas here we have a whole College of Bishops granting leave to a *brother Bishop* to teach his people what they have condemned in a *Presbyter;* provided always the Bishop, when so teaching heresy, takes care to warn his people that it is only his own doctrine and not that of his Church. Why did they not give a similar licence to the Presbyter? Do they not know of any better standard of Truth than individual opinion?"

Now, I do not quote Mr. Thomson because I have any affinity with the views which he propounds, or much confidence in the reasoning with which he supports them. He says he has "read everything he could find connected with this controversy—in pamphlets, speeches, and newspapers." If he had "read everything he could find connected with Scottish Episcopacy *past*," as well as "*present*," he would have escaped some very serious historical and other errors, which are scattered up and down his pamphlet. I quote Mr. Thomson because he is a fair representative of Presbyterianism. I have no personal acquaintance with him, but I am told that he is a man of high Christian character, and one of the most accomplished and respected landed proprietors in Scotland. He is, moreover, Convener of the County of Aberdeen, and a man who mixes largely in the world. In every way it would be difficult to find a fairer type of Scotch Presbyterianism; and in the conclusion which he has drawn from the condemnation of Mr. Cheyne, I believe he is the spokesman of the great mass of his co-religionists. The harm which that condemnation has done to our Church is, I believe, incalculable. It has roused the anti-Prelatical suspicions and jealousies of Presbyterian Scotland, and it has entirely alieniated the sympathies and affections of the best friends of our Church in England. Those who would be allowed on all hands to be in the foremost ranks of our English benefactors have declared their intention to have nothing more to do with "a Church which," as one of them expressed it, in a letter which I have seen, "has virtually excommunicated the whole High Church party in England." A few of them have declared that any contri-

butions which they may still be inclined to send to Scotland shall be sent exclusively to the Diocese of Brechin.

Under all these circumstances, then, would not the dictates of a wise policy counsel the restoration of Mr. Cheyne? It would show Presbyterians that Bishops *can* do justice to Presbyters; and it would recover for our Church the good-will of the thousands of English Churchmen who have taken Mr. Cheyne's condemnation as their own, and who have recently offered him a spontaneous expression of their sympathy and regard. It takes a long time to read the list of signatures which are attached to that address; but I have accomplished the task. Of clergy, there are 360 names, including every dignity in the Church below a Bishop. For obvious reasons, the signatures are, for the most part, those of *beneficed* clergy—a fact which, while it adds weight to the character of the address, shows also that the 360 clergy are merely *representative*. Of barristers and lawyers there are 428—several of them in the front rank of their profession. Besides these, there are 70 magistrates and high-sheriffs. Of the unprofessional laity, every class is represented in the address—peers, baronets, knights, and members of the House of Commons. Is our Church so rich and influential that she can despise all these? If a bill were introduced into Parliament for the abolition of the Disabilities, who are the men whom Scottish Churchmen would expect to interest themselves in its support? The very men who are aggrieved by Mr. Cheyne's condemnation. I believe you, Sir, could tell us that that support is not likely to be given so long as the sentence on Mr. Cheyne stands unrepealed. That sentence has really severed the communion of the two Churches, by the introduction in Scotland of a doctrinal test which is not recognised in England. I object to the imposition of any new test by our Bishops. Had they erected the Bishop of Brechin's Charge into a test involving penalties, I should protest against it, as I now do against making the "Opinion" of the Bishop of St. Andrew's an Article of Faith for Scottish clergymen.

I understand that some persons have taken offence at the proposal of my friend Mr. Lee, that Mr. Cheyne should be restored unconditionally.* Let us not be deceived by words. Mr. Cheyne *cannot* be *restored*. That would imply his being replaced in the Incum-

* The Cheyne Case, p. 5.

bency of St. John's. That cannot be, for another Incumbent has been appointed. The utmost the Bishops can do is to mitigate Mr. Cheyne's sentence. Let them repeal the sentence, and the case will stand thus—Mr. Cheyne will have been suspended for two years, and deprived of his Incumbency for life. I think most people would consider that a tolerably severe punishment, even from the Bishops' point of view—especially when it is contrasted with the acquittal of the Bishop of Brechin. That acquittal is a virtual acknowledgment that the sentence on Mr. Cheyne was too severe; and I cannot help thinking that our Bishops would now gladly avail themselves of any fair opportunity of repealing the sentence altogether. Even if they had truth and justice on their side, could they not afford to be generous? "The equitable man is he who does not stretch justice to the furthest limit on the worst (penal) side, but is ready to make allowances, even when he has the law on his side." Such is the wise saying of Aristotle.* Will Christian Bishops fall below a heathen philosopher in the exercise of Christian charity? The sum and essence of Mr. Cheyne's teaching is this —that, as we have received the substance of a corrupt nature from Adam, so, in the Blessed Sacrament, we receive the substance of the renewed and risen nature of Christ. Is that a doctrine which merits deposition? If doctrines are tested by their fruits, I am quite content to submit Mr. Cheyne's to that test. My official connection—a connection which will in a few days cease—with Mr. Cheyne's late congregation has now lasted six months. Until then I could scarcely say that I was even acquainted with Mr. Cheyne; so that I am speaking quite impartially when I say that Mr. Cheyne's charities and other good works among his people will not be known till earth and sea give up their dead. When my time comes to give an account of my stewardship, may I have as good an answer, as I am sure he will have, to give to the question —"Where is the flock that was given thee, thy beautiful flock?"† How will it read in history that such a man as this was, in his own touching words, "driven in his old age to seek a new abode?"‡— driven from a church which he loved so well, and served so faithfully for upwards of forty years. A day will come when we shall all stand together before a tribunal which cannot err; on that day

* Eth. v. 10. † Jer. xiii. 20.
‡ Answer to the English Address.

will the treatment which Mr. Cheyne has received add to the comfort of those who have inflicted it?

But I hope for better things. I am very grievously mistaken if there is one of our Bishops who would not gladly see the sentence on Mr. Cheyne repealed. I am personally acquainted with only three of them—the Bishops of St. Andrew's, Aberdeen, and Glasgow. Of my connection with Bishop Wilson as Dean of Glasgow, and with Bishop Worsdworth as Warden of Trinity College, I retain nothing but pleasant memories; and I have misread the character of both if they would willingly and deliberately do an unkind or cruel thing. My acquaintance with the Bishop of Aberdeen is more recent; and of him I am bound to say that he has never given me personally cause to entertain any other than kindly feelings for him. I have had some conversation with him on the subject of Mr. Cheyne's restoration ; and though we did not agree on all points, the Bishop expressed his views with much moderation and courtesy. Of this I feel sure, that if any opposition is made—which I can hardly anticipate—to Mr. Cheyne's restoration, that opposition will not come from the Bishop of Aberdeen. He was the first, and, as far as I remember, the only one of the Bishops who publicly rebuked the unreasoning clamour which was raised against the Bishop of Brechin, and in language which I recollect you described at the time as "the wise language of the Bishop of Aberdeen;" could he not now, with much propriety and gracefulness, be the first to throw oil upon the troubled waters, and cause again "brethren to dwell together in unity?" Surely a two years' suspension, and the loss of his Incumbency, are punishment enough for Mr. Cheyne, even if he were guilty of much more serious crimes than those laid to his charge. But, in addition to this, the sentence under which he now suffers entails another hardship of which the public are ignorant. Mr. Cheyne has been for half a century a subscriber to the Frendly Society, and at his death his family would have been entitled to an annuity. Of this they are now deprived; for it is a standing rule of the Society that a suspended or deposed clergyman shall forfeit his membership and all that it involves. If, therefore, Mr. Cheyne die under the sentence of the College of Bishops, a grievous wrong will have been inflicted on his family. Is there a Bishop, is there a man, in Scotland who would like to have a hand in robbing the fatherless?

I do not believe that our Bishops have committed injustice intentionally. The truth is, to quote the language of one of themselves, "They had none of them had that education, unhappily, which fitted them for dealing with nice points of canon law; and, therefore, if they should unfortunately commit a false step, on the moment, it seemed to him that their first duty was to correct that false step, partly because it *was* one, and partly because they should not allow a precedent to lead them on in a false direction."* Such was the language of the Bishop of St. Andrew's seven months ago. To be sure, that "false step" was supposed to be in *favour* of the Bishop of Brechin and Mr. Cheyne; but, of course, the Bishop of St. Andrew's is a man who would disdain the use of the Lesbian rule. "A false step" *is* "a false step," whether for or against Mr. Cheyne; and I am inclined to think that the opinion of such men as Dr. Phillimore and Mr. Roundell Palmer, backed as that opinion has lately been by 420 English barristers and lawyers, is a pretty conclusive answer to the question, whether Mr. Cheyne's condemnation was "a false step." As I wish, however, to be as moderate as possible, I will say that if only one respectable canon lawyer can be produced within the geographical limits of Christendom, who will say that Mr. Cheyne's condemnation was *not* "a false step," I give up the case.

And now, Sir, I have done. I feel very strongly on the subject on which I have ventured to address you; but it has been my endeavour to say nothing unbecoming a Christian and a gentleman; and I trust that I have not altogether failed in that endeavour. It is always an invidious thing for a young man to criticise, however temperately, the acts of those who are his superiors in years, learning, and authority; but it is sometimes necessary. The mouse in the fable was able to nibble away the meshes of the net which defied the strength of the royal lion.

The many acts of kindness which I have received at your hands embolden me to shelter the observations I have made under your distinguished name—a name no less known in Christendom for all that is just and high-minded, than in our own limited Communion for numerous acts of munificence and generosity. I appeal to you

* Speech of the Bishop of St. Andrew's. See *Scottish Ecclesiastical Journal*, for October, 1859, p. 165.

—and I am sure that I shall not appeal in vain—to use your very great and well-earned influence with Scottish Churchmen to bring about the restoration, as far as may be, of a good and venerable man. You will have the blessings of many whom you will never see till you meet them before the Great White Throne.

With every sentiment of respect and esteem,

I am,

DEAR SIR,

Your faithful Servant,

MALCOLM MacCOLL.

ABERDEEN, June 6, 1860.

P.S.—It is right to say that this Letter has been written entirely without the knowledge, directly or indirectly, of either Mr. Cheyne or the Bishop of Aberdeen.

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